

## **Minutes**

### **Santee City Council Community Development Commission Santee Public Financing Authority**

**Council Chambers  
10601 Magnolia Avenue  
Santee, California**

**October 10, 2007**

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:02 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Jack E. Dale, Brian W. Jones and Hal Ryan.

Staff present were: City Manager/Executive Director/Secretary Keith Till, City/Commission/Authority Attorney Shawn Hagerty, Deputy City Manager/ Director of Development Services Gary Halbert, Director of Fire and Life Safety Mike Rottenberg, Director of Community Services John Coates, Director of Human Resources Jodene Dunphy, Assistant to the City Manager Kathy Valverde, Assistant to the Executive Director Pam White, City Engineer Steve Cresswell, City Planner Melanie Kush, Santee Sheriff's Captain Patricia Duke, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/ Deputy Commission Secretary.)

**INVOCATION:** Reverend Kathleen Green, Summit Unitarian Universalist Fellowship

**PLEDGE OF ALLEGIANCE AND FLAG SALUTE:** Cub Scout Patrol 10 Pack 383

#### **CERTIFICATES OF COMMENDATION: CUB SCOUT PATROL 10 PACK 383**

Mayor Voepel introduced Den Patrol Leader Travis McMahan and Assistant Patrol Leader/Pack Cub Master Leo Faubion. Certificates of Commendation were presented to Austin McMahan, Blake Evans, Connor Troxel, Jared Faubion, Ryan Kaszycki and Tyler Lamb.

Mayor Voepel recognized Padre Dam's Director of Parks and Recreation Allen Carlisle, Padre Dam Municipal Water District Board of Director Augie Scalzitti, and former Padre Dam General Manager Augie Caires.

**ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:** None

Vice Mayor Minto noted an abstention for Item 1(B) – Minutes of September 26, 2007 as he was absent from that meeting. Council Member Jones stated a no vote for Item 1(D). Council Member Ryan registered an abstention on Item 1(E) due to a conflict of interest.

**1. CONSENT CALENDAR:**

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.
- (B) Approval of Meeting Minutes: (Minto abstained on 9/26/07 Minutes)  
Santee City Council 09-12-07 & 09-26-07 Regular Meetings  
Community Development Commission 09-12-07 & 09-26-07 Regular Mtgs  
Santee Public Financing Authority 09-12-07 & 09-26-07 Regular Meetings
- (C) Approval of Payment of Demands as Presented.
- (D) Second Reading and Adoption of an Ordinance of the City of Santee Requiring the Registration of Abandoned Residential Properties. (ORD 472 - Jones voted no)
- (E) Second Reading and Adoption of an Ordinance of the City of Santee Amending Chapter 12.24 of the Santee Municipal Code Relating to Tree Regulations to Designate the Coast Live Oak Trees on County Property (Edgemoor) as "Protected Trees." (ORD 473 – Ryan abstained)
- (F) Rejection of two Claims Against the City Filed by Miguel Miranda and Justine Smith.
- (G) Adoption of a Resolution Approving Operational Acceptance of Improvements to Prospect Avenue, Atlas View, Via Zapador and Olive Lane for the Forester Creek Project, CIP 2002-21. (Reso 78-2007)

**ACTION:** On motion of Vice Mayor Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as presented with all voting aye except Vice Mayor Minto who abstained on the September 26<sup>th</sup> Minutes, Council Member Jones who voted no on Item 1(D) and Council Member Ryan who abstained on Item 1(E).

## **2. PUBLIC HEARINGS:**

- (A) Continued Public Hearing for Tentative Parcel Map (TPM07-02) and Development Review Permit (DR07-04) for a Four Lot Residential Subdivision of a 3.78 Acre Property and the Construction of Three Single Family Residences at 8504 Atlas View Drive in the R2 Low-Medium Density Residential Zone. Applicants: Mark and Laurie Miller (Cont from 9/26/07) (Resos: 79-2007 – DR & 80-2007 – TPM)**

The Public Hearing opened at 7:12 p.m. Deputy City Manager/Director of Development Services Halbert introduced the item. City Engineer Cresswell presented the staff report utilizing PowerPoint focusing on the questions Council had from the last meeting and provided a copy of Mr. & Mrs. Miller's application for a Tentative Map and Development Review Permit.

**Public Speakers:** Mark Miller, applicant, provided current photos of the site and reaffirmed his request for a waiver of the undergrounding and street widening conditions. Lisa Miller Carnation submitted a slip in support but did not speak.

During discussion, there was talk about Council changing the undergrounding policy to make it equitable for all citizens (charging fees to all properties, not just to those properties containing utility lines) and in what situations, if any, could fees be waived.

**MOTION #1:** It was moved by Council Member Jones and seconded by Council Member Dale to approve staff recommendation.

**MOTION #2:** Council Member Jones made a second motion to have staff review the Undergrounding Ordinance and bring back recommendations for Council's consideration.

When asked, City Attorney Hagerty verified that if the item were approved tonight and Council later took action changing the Ordinance requirements that the applicant could reapply and bring his project back before Council for review/approval under the new guidelines.

**MOTION #1 /ACTION:** The motion made by Council Member Jones and seconded by Council Member Dale to close the Public Hearing at 8:15 p.m.; approve the Mitigated Negative Declaration as complete and in compliance with the provisions of the California Environmental Quality Act; and adopt the two Resolutions approving Development Review Permit DR07-04 and Tentative Map TPM07-02 was approved with all voting aye, except Council Member Dale who voted no.

**MOTION #2 / FAILED MOTION:** Council Member Dale seconded Council Member Jones' motion to have staff review the undergrounding Ordinance and bring back recommendations for Council's consideration within 6 months. The motion failed with Council Members Dale and Jones voting aye, and Mayor Voepel, Vice Mayor Minto and Council Member Ryan voting no.

**(B) Public Hearing for a Major Revision (#5) to the Santee Lakes Regional Park Conditional Use Permit (P80-83) to Provide Additional Recreation and Open Space Uses, Including RV Storage, Cabins, Island Recreation Facilities, Ballfields, a Clubhouse Expansion, and Restoration of Island Vegetation in the Park Open Space Zone. Applicant: Padre Dam Municipal Water District (Reso 81-2007)**

The Public Hearing opened at 8:19 p.m. Deputy City Manager/Director of Development Services Halbert introduced Associate Planner Rick Brady who presented the staff report utilizing PowerPoint.

**Entered into the Record:** Replacement Map Sheet A9.

**Public Speakers:**

In Opposition: Guadalupe Gillenberg asked for reassurance that Padre Dam's proposed cable ski park is not included in the proposed project. Sandra Schielke submitted a speaker slip in opposition but was not available to speak.

In Support: Allen Carlisle, Padre Dam Director of Parks and Recreation

**ACTION:** After discussion, it was moved by Vice Mayor Minto and seconded by Mayor Voepel to close the Public Hearing at 9:10 p.m.; approve the Mitigated Negative declaration as complete and in compliance with the provisions of the California Environmental Quality Act; and to adopt the Resolution approving Conditional Use Permit P80-83 as amended to upgrade and enlarge some of the cabins and bring the nursery back for Council review in 5 years. The motion carried with all voting aye.

**NOTE:** Discussion for this item was reopened after the break following Item 2(C). Please see that section for additional information regarding action taken for Item 2(B).

Mayor Voepel recognized and introduced Jim Pankin who represents Santee on the Community Leaders Forum MCAS Miramar committee.

**(C) Public Hearing for Tentative Parcel Map (TPM06-04) to Subdivide Four Residential Lots and Development Review Permit (DR06-20) to Construct Four Single Family Dwelling Units on a 1.39 Acre Site Located at 11569 Woodside Avenue in the R2 Low Medium Density Residential Zone. Applicant: Richard Ing (Resos: DR- 82-2007 & TPM 83-2007)**

Council Member Ryan announced he would abstain on this item due to conflict of interest.

The Public Hearing opened at 9:11 p.m. Deputy City Manager/Director of Development Services Halbert introduced Associate Planner Josh McMurray who presented the staff report utilizing PowerPoint.

**Public Speaker:** Richard Grabhorn, representing the applicant, was available for questions.

**ACTION:** On motion of Vice Mayor Minto, seconded by Council Member Jones, the Public Hearing was closed at 9:14 p.m.; the Mitigated Negative Declaration was approved as complete and in compliance with the provisions of the California Environmental Quality Act; and two Resolutions approving Development Review Permit DR06-20 and Tentative Map TPM06-04 were adopted with all voting aye except Council Member Ryan who abstained.

Mayor Voepel called for a short recess at 9:14 p.m. Council Members reconvened in Open Session at 9:27 p.m. with all Members present.

**Reconsideration for Item 2(B):**

- (B) **Public Hearing for a Major Revision (#5) to the Santee Lakes Regional Park Conditional Use Permit (P80-83) to Provide Additional Recreation and Open Space Uses, Including RV Storage, Cabins, Island Recreation Facilities, Ballfields, a Clubhouse Expansion, and Restoration of Island Vegetation in the Park Open Space Zone. Applicant: Padre Dam Municipal Water District (Reso 81-2007)**

**ACTION:** It was moved by Council Member Dale to reconsider Item 2(B). The motion, seconded by Council Member Jones, was approved with all voting aye.

During discussion, Santee Lakes Director of Parks and Recreation Allen Carlisle was asked by Council if it would be possible to offer Santee residents 1st priority for the newly created RV parking spots. Mr. Carlisle responded that it would be possible.

**ACTION:** On motion of Council Member Dale, seconded by Council Member Jones, the Mitigated Negative declaration was approved as complete and in compliance with the provisions of the California Environmental Quality Act; and the Resolution approving Conditional Use Permit P80-83 as amended to upgrade and enlarge some of the cabins, bring the nursery back for Council review in 5 years and give priority to Santee residents for the new RV parking spots, was approved with all voting aye.

**3. ORDINANCES (First Reading): None**

**4. CITY COUNCIL REPORTS: None**

**5. CONTINUED BUSINESS:**

**(A) Approval of Two Resolutions to Initiate Proceedings to Consider the Potential Establishment of a Mello-Roos Community Facilities District (CFD) for the Sky Ranch Development. (Reso of Intention 84-2007 & Reso of Necessity 85-2007)**

City Manager Till introduced the item. Attorney Warren Diven from Best Best & Krieger LLP presented the staff report utilizing PowerPoint and answered Council's questions. He introduced David Brodsky, Managing Director of KNN Public Finance and Leni Zarate, Special Tax Consultant with Psomas who provided additional information to Council. Council Member Ryan asked to receive a copy of the market price-line study.

**MOTION:** After lengthy discussion it was moved by Council Member Jones to approve staff recommendation to:

1. Adopt the Resolution of Intention setting the proposed CFD boundaries, establishing the facilities that can be financed, approving the proposed Rate and Method of Apportionment of the Special Tax, which establishes the tax formula and the maximum allowable tax, and calling for an election of the property owner to approve the special tax;
2. Authorize the Special Tax Consultant to record the CFD map with the County Recorder;
3. Adopt the Resolution of Necessity to Incur Bonded Indebtedness, which establishes the maximum bond authorization for the CFD and schedules the public hearing that is required for issuing Mello-Roos bonds; and
4. Set a Public Hearing for Wednesday, November 14 at 7:00 PM to consider the establishment of the CFD, the proposed Rate & Method of Apportionment of the Special Tax and the intention of the Council to incur bonded indebtedness to finance the facilities.

The motion was seconded by Vice Mayor Minto.

**Public Speaker:** At Council's request, Michael L. Levesque, President of Lennar's San Diego Division, answered questions and provided additional information.

**FAILED AMENDMENT:** Vice Mayor Minto requested an amendment to approve recommendation item numbers 1 through 3 and continue recommendation item number 4 to an Adjourned Regular Meeting on November 28, 2007. Council Member Jones did not accept the amendment.

**ACTION:** The motion made by Council Member Jones, seconded by Vice Mayor Minto, to approve the following:

1. Adopt the Resolution of Intention setting the proposed CFD boundaries, establishing the facilities that can be financed, approving the proposed Rate and Method of Apportionment of the Special Tax, which establishes the tax formula and the maximum allowable tax, and calling for an election of the property owner to approve the special tax;
  2. Authorize the Special Tax Consultant to record the CFD map with the County Recorder;
  3. Adopt the Resolution of Necessity to Incur Bonded Indebtedness, which establishes the maximum bond authorization for the CFD and schedules the public hearing that is required for issuing Mello-Roos bonds; and
  4. Set a Public Hearing for Wednesday, November 14 at 7:00 PM to consider the establishment of the CFD, the proposed Rate & Method of Apportionment of the Special Tax and the intention of the Council to incur bonded indebtedness to finance the facilities.
- was approved with all voting aye.

**(B) Parks and Recreation Master Plan Update. (Continued from 7/11/07, 7/25/07 and 9/12/07.)**

Director of Community Services Coates presented a brief staff report utilizing PowerPoint and answered Council's questions. Direction was given on some operational policy issues such as not implementing any additional park use fees, looking into endowments or establishing a park foundation, parks facilities planned for all ages to use, develop standards for maintenance, to name a few. Staff was asked to provide Council with an overview list of any additional specific areas that required Council's guidance.

6. **NEW BUSINESS:** None

7. **COMMUNICATION FROM THE PUBLIC:** None

8. **CITY MANAGER REPORTS:** None

9. **COMMUNITY DEVELOPMENT COMMISSION:**  
(Note: Minutes appear as Item 1B)

10. **SANTEE PUBLIC FINANCING AUTHORITY:**  
(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS: None

12. CLOSED SESSION: None

**13. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 11:56 p.m.

Date Approved: November 14, 2007

/s/Linda A. Troyan

Linda Troyan, Commission Secretary  
and for Authority Secretary Keith Till